

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STACY L. RANDALL,

Plaintiff,

v.

REED C. WIDEN, MICHAEL
KIESLER, WIDEN ENTERPRISES,
LLC, and WINDY WATERS, INC.,

Case No. 22-cv-400-jdp

Defendants.

PLAINTIFF STACY L. RANDALL'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiff Stacy L. Randall ("Stacy" or "Plaintiff"), by and through her undersigned attorneys, hereby moves for partial summary judgment under Federal Rule of Civil Procedure 56. Specifically, Plaintiff moves for partial summary judgment that: 1) Defendants are liable on Count Two of Plaintiff's Complaint (Federal Securities Fraud Against All Defendants in violation of the Exchange Act and SEC Rule 10b-5(b), 17 C.F.R. § 240.10b-5(b)); and 2) Defendants Reed Widen and Michael Kiesler are liable on Count Six of Plaintiff's Complaint (Breach of Fiduciary Duties Against Reed and Kiesler).

Plaintiff further moves for partial summary judgment that Defendants' affirmative defenses of waiver (Second Affirmative Defense), release (Fifth Affirmative Defense), and ratification (Sixth Affirmative Defense) all fail as a matter of law.

In support of this motion, Plaintiff files concurrently herewith a brief in support, statement of undisputed facts, declarations and exhibits. Plaintiff requests the precise quantum of damages be proven at trial.

Respectfully submitted this 29th day of September, 2023.

s/ David G. Palay

Mark A. Cameli

mcameli@reinhardtlaw.com

David G. Palay

dpalay@reinhardtlaw.com

Monica A. Mark

mmark@reinhardtlaw.com

Reinhart Boerner Van Deuren s.c.

1000 North Water Street, Suite 1700

Milwaukee, WI 53202

Mailing Address:

P.O. Box 2965

Milwaukee, WI 53201-2965

Telephone: 414-298-1000

Facsimile: 414-298-8097

Attorneys for Stacy L. Randall